

LEGISLATIVE COMMITTEE ON HOUSING

BYLAWS

ADOPTION

The Menominee Indian Tribe of Wisconsin created a Tribally Designated Housing Entity (TDHE) known as the “HOUSING DEPARTMENT” on April 7, 1997 (*See Appendix I*). The Housing Department replaces what was previously known as the independently operated Menominee Tribal Housing Authority (MTHA).

The bylaws governing the Legislative Committee on Housing, that oversees the Housing Department, were adopted by the Menominee Tribal Legislature under a MOTION passed on September 7, 2007 and are effective immediately. (*See Appendix II*)

INTRODUCTION

The goal of the Menominee Indian Tribe of Wisconsin is to provide affordable housing for qualified Menominee’s, in a safe and healthy environment. The Housing Department has been tasked by the Legislative Body to provide better housing for low-income families, eliminate substandard housing, effect housing code enforcement, uplift and encourage self-improvement of the community’s low-income families. These bylaws outline the role of the Legislative Committee on Housing in meeting those goals.

While the role of the Committee Members is of an “advisory” nature to the Tribal Legislature, it is nonetheless an essential role that helps ensure the Housing Department is meeting the mandates of the Tribal Legislature regarding housing issues. Committee members can make a difference by taking an interest in operation, setting personal examples of integrity, and taking appropriate action when fraud is suspected or management problems are apparent.

The Committee members job is not to manage the day-to-day operations of the Housing Department; however, the Committee members should be knowledgeable of the programs being administered, to help establish policies and goals, and to monitor the operations of the Housing Department.

General guidelines, for all Legislative Committees, are outlined in Menominee Tribal Ordinance 95-04 (Tribal Government Plan) as amended.

SECTION 1 SELECTION PROCESS

- 1.1. **COMPOSITION.** The Committee is composed of seven (7) members who have been appointed by the Menominee Tribal Legislature to serve. Two (2) of the Committee members will be member's of the Menominee Tribal Legislature, two (2) members shall be non-legislative community members, with the rest of the Committee comprising of tribal employees as stated within Ordinance 95-04 (Tribal Government Plan) in addition to the Tribal Chairperson who is an ex officio member.
- 1.2. **SOLICITATION.** The Menominee Tribal Legislature will solicit prospective members from the community at large. Interested individuals should submit written applications to the Legislature stating their background with housing issues and reasons for wanting to serve on the committee, etc.
- 1.3. **APPOINTMENT.** Committee members will be appointed by the Tribal Chairperson, subject to approval by Tribal Legislature. Approval shall be in the form of a MOTION(s) from the Menominee Tribal Legislature. Members may be re-appointed by this same process. (*See Appendix III*)
 - A. A motion shall be conclusive evidence of the due and proper appointment of the Committee member.

SECTION 2 TERM OF OFFICE

- 2.1 Terms of appointment will be as follows:
 - a) New committee members will be appointed each year.

SECTION 3 OFFICERS

- 3.1 Officers shall consist of a Chairperson, Vice-Chairperson and a Secretary.
 - A. The Committee Chairperson will be a member of the Menominee Tribal Legislature and will be appointed by the Legislature.
 - B. The Committee members elect a Vice-Chairperson and Secretary.
- 3.2. The Chairperson shall, when present, preside at all meetings of the Committee. Following each meeting, the Chairperson shall submit recommendations and information to the Legislative body, as he/she may consider proper, concerning the business, affairs and policies of the Housing Department.
- 3.3. In the absence of the Chairperson or in the event of his/her incapacity, death, resignation, or removal, the Vice-Chairperson shall perform the duties of the Chairperson and, when so acting, shall have all the powers of and be subject to all the restrictions upon the Chairperson. Additionally, the Vice-Chairperson shall perform such duties as from time to time may be assigned by the Chairperson.
- 3.4 In the absence of both the Chairperson and Vice-Chairperson, the Secretary will conduct the meeting.

SECTION 4 MEETING PROCEDURES

- 4.1 Meetings of the Committee will be held on a monthly basis.
- 4.2 Emergency (or special) meetings.
 - A. Under certain circumstances, an Emergency (or special) may be required to deal with an unanticipated problem. The Committee Chairperson will coordinate a mutually agreeable date/time for such meeting(s) with the Housing Department Director.
 - B. Emergency (or special) meetings may only be held with the permission of the Tribal Chairman.
 - C. The Housing Committee Chairperson must submit a formal request, to the Tribal Chairman, indicating the need for such a meeting. (*See Appendix IV*).
- 4.3 Meetings will be open to all tribal members.
- 4.4 Meeting notices and agendas.
 - A. Meeting notices and agendas shall be posted at least seventy-two (72) hours before the meeting.
 - B. Tribal ordinance 80-6, and amendments, should be referred to for current posting requirements.
 - C. The meeting notice shall have all subject matters listed.
 - D. The agenda will include some of the following major areas:
 - (1) Call to Order
 - (2) Roll Call
 - (3) Approval of the minutes of the previous meeting.
 - (4) Other Business
 - (5) Executive Session as needed for tenant issues.
 - (6) Adjournment
 - E. Agendas must be approved and signed by the Committee Chairperson prior to posting.
 - F. The Chairman's Office will be responsible for posting the notices.

4.5 Information Packets.

- A. Information packets are put together by the Housing Department Director with assistance from Chairman's Office to ensure that the committee members have sufficient back ground information from which they can make informed decisions.
- B. This information packet will contain a summary of the agenda items, supporting documents, and action required.
- C. Nine (9) copies of the information packet will be forwarded to the Chairman's Office.
 - (1) The Chairman's Office will ensure that the information packet is mailed/delivered to each Committee member, along with the meeting notice/agenda.
 - (2) This information should be provided at least 24 hours in advance (unless available sooner) of the meetings. This will allow the Committee members sufficient time to familiarize themselves with the issues to be discussed prior to the meeting.

4.6 The business of the Committee shall be carried out in a prompt, businesslike manner without unnecessary diversions and discussion of extraneous matters.

4.7 The Director of the Housing Department will keep the Committee members informed of all items deemed "significant". This can include, but is not limited to the following:

- A. Reports on vacancies, rent collections, losses, etc.
- B. Reports on waiting lists.
- C. Reports on income, expenses, budget revisions, etc.
- D. Reports on major repairs or renovation projects.
- E. Report on the status of new construction.
- F. Reports on projects undertaken by the Housing Department.
- G. Include Committee members in the design/planning process for proposed projects.
- H. Committee meeting minutes along with recordings will be turned in to the Chairman's Office where they will be archived.

4.8. Quorum. A majority of the full Committee (i.e., notwithstanding the existence of any vacancies) shall constitute a quorum for the transaction of business, but no Committee action shall be taken by a vote less than a majority of such full Committee. At a minimum, four (4) Committee members constitute a quorum and must include at least one of the officers.

4.9 Action Sheets & MTL Approvals.

A. To ensure motions reach the Legislature, the recorder of the meeting will create an ACTION SHEET supply the meeting minutes, and any other applicable documentation to the Executive Secretary for MTL approval.

SECTION 5 COMPENSATION

5.1. Community Committee members shall be compensated for attending Committee meetings.

5.2. Each Community Committee member shall receive a stipend per meeting, subject to change by the Menominee Tribal Legislature.

5.3. Record of Attendance.

A. Attendance at meetings shall be documented on the MEETING PAYMENT RECORD form (See Appendix V).

B Each Committee member eligible for payment shall verify mileage on the MEETING PAYMENT RECORD as well. Compensation for mileage to/from Committee meetings is computed in accordance with the Tribal Travel Policy. The current rate is in accordance with the Federal Register.

C. The Committee Chairperson shall sign off on all such meeting payment records.

D. Completed payment records will be submitted to the Chairman's Office for "final" signature and then forwarded to the Tribal Finance Department for processing and payment within 72 hours of said meeting date.

SECTION 6 DUTIES AND RESPONSIBILITIES

6.1. The Committee is appointed by the Menominee Tribal Legislature and is answerable to them. (*See Appendix VI*)

6.2. The Committee will work with the Administrator Managers office and Housing Director in an "**ADVISORY CAPACITY**" to ensure the Housing Department is operating properly.

- A. The following are considered “Action Items”: Indian Housing Plan, Approval and changes to Policies for the Housing Department, Annual Performance Report, and any other item the Committee recommends sending to the Menominee Tribal Legislature.
 - B. The following are considered “Non Action Items” or Committee recommendations: Tenant issues (i.e. complaints, requests), modifications to Mutual Help Home.
- 6.3. The Director reports directly to the Administrative Manager. The Administrative Manager is the Housing Director’s immediate supervisor.
 - 6.4. Committee members shall familiarize themselves with Public Law 104-33, The Native American Housing and Self-Determination Act (NAHASDA) and 24 CFR Part 1000 so that they can make informed decisions regarding housing issues.
 - 6.5. Committee members shall also familiarize themselves with all Housing Department Policies and Procedures.
 - 6.6. The Committee will hear tenant appeals, as required, as part of the Eviction process.
 - 6.7. The Committee will hear tenant grievances, as required, when filed by participants of the various Housing Department programs.
 - 6.8. Committee members are encouraged to review all budgets for the Housing Departments programs and make suggestions and/or recommendations as warranted.
 - 6.9. Committee members are encouraged to review grant applications and make suggestions and/or recommendations as warranted.
 - 6.10. Committee members will review Housing Department audits and audit findings.
 - 6.11. Committee members will review the Housing Departments Annual Report prior to submission to the Administrative Manager, the Tribal Legislature and HUD.
 - 6.12. Committee members will monitor Housing Department policies and procedures from time-to-time to ensure they are up-to-date.
 - 6.13. Committee members will help establish monitoring controls to detect and prevent conflicts of interest, fraud, and abuse.
 - 6.14. Committee members are encouraged to solicit comments and inputs from residents of Housing Department Programs.
 - 6.15. Committee members will keep the Tribal Legislature informed of “significant” Housing issues as they may arise.
 - 6.16. The Housing Director will inform the Committee members of all significant changes, problems and information regarding the Housing Department and staff.

- 6.17. Committee members will review “written” requests from individuals residing in HOME OWNERSHIP units (old Mutual Help) to change or modify their home.
- A. If approved by the Committee; the homeowner will be advised that it is his/her responsibility to pay for such modifications (this includes labor and materials).
 - B. Home owners can borrow against their MEPA accounts (if sufficient funds exist) to pay for the proposed modifications, however, pay back must be via wage assignment and completed within one year prior to home conveyance. No payments will be authorized without original invoices for labor/materials.
 - C. The Committee will ensure that there are appropriate internal policies. The Director (or designee) will be responsible for the research, development, drafting, compiling, updating, etc. of said policies. As a matter of courtesy, the Administrative Manager will be asked to review all policies before they are implemented. Committee members are encouraged to review “internal” policies and provide comments and/or suggestions that will strengthen said policies.
- 6.18. Committee members **WILL NOT**:
- A. Get involved in the day-to-day operations of the Housing Department. This is the responsibility of the Housing Director.
 - B. Commit the Housing Department Programs, staff or financial resources to any project or event (charitable or otherwise) without prior approval of the Director of Housing and/or the Administrative Manager (as applicable).
 - C. Get involved with the hiring and firing of Housing Department Staff. This is personnel action handled solely by the Tribe’s Human Resources Department. Human Resources may, however, call upon Committee members for input when warranted.
 - D. Approve operating budgets. This is handled through the Administrative Manager and Tribal Legislature. Committee members may, however, review such budgets.
 - E. Use Housing Department supplies, equipment, machinery, construction or rehabilitation supplies or staff for personal uses.
 - F. Use Housing Department contractors for personal purposes while they are engaged in Housing Department work.
 - G. Become involved in any business relationship between the Committee member and the Housing Department where the Committee member or committee members company is dealing with the Housing Department.

SECTION 7

RESIGNATIONS AND REMOVAL FROM THE HOUSING COMMITTEE

7.1. RESIGNATIONS.

- A. Any member of the Committee may resign at any time by giving written notice to the Menominee Tribal Legislature.
- B. The Resignation shall take effect at the time specified in the notice and, unless otherwise specified, the acceptance of the resignation shall not be necessary to make it effective.

7.2. REMOVAL FROM OFFICE.

- A. A member of the Committee may be removed from office by the Menominee Tribal Legislature when it is determined to be in the best interest of the Tribe to do so.
- B. Examples of reasons for removal are listed below, but are not all-inclusive.
 - (1) Serious inefficiency.
 - (2) Neglect of duty.
 - (3) Misconduct in office.

SECTION 8

AMENDMENTS TO BY LAWS

- 8.1. Recommendations that the By-Laws of the Legislative Committee on Housing be amended can only be made with the approval of at least four (4) of the Committee members at a special meeting called for that purpose.
- 8.2. Said recommendations must then be submitted to the Tribal Legislature, in writing, for review and final approval.

DISTRIBUTION: Housing Committee
 Housing Department Staff Managers
 Chairman's Office
 Administrative Manager
 HUD/ONAP